

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Ramon Reff,

Civil No. 07-2515 (PAM/JSM)

Plaintiff,

v.

ORDER

Michael J. Astrue, Commissioner
of Social Security,

Defendant.

This matter is before the Court on the Report and Recommendation (“R&R”) of Magistrate Judge Janie S. Mayeron. Defendant filed a “Response” to the R&R, contending that, although the “defense in this case appears clearly reasonable and well founded in law and fact,” Defendant would not object to the R&R’s analysis and recommendation that Plaintiff’s Motion for Summary Judgment be granted, Defendant’s Motion for Summary Judgment be denied, and that this matter be remanded to the Social Security Administration for a determination as to whether plaintiff is entitled to Supplemental Social Security Income based on his alleged disability for the calculation and award of benefits.

Accordingly, **IT IS HEREBY ORDERED** that:

1. The Report and Recommendation of Magistrate Judge Janie S. Mayeron (Docket No. 23) is **ADOPTED**;
2. Plaintiff’s Motion for Summary Judgment (Docket No. 11) is **GRANTED**;
3. Defendant’s Motion for Summary Judgment (Docket No. 18) is **DENIED**; and

4. Plaintiff's case be **REMANDED** to the Social Security Administration for a determination as to whether plaintiff is entitled to Supplemental Social Security Income based on his alleged disability.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: Friday, September 12, 2008

s/ Paul A. Magnuson
Paul A. Magnuson
United States District Court Judge